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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

In re CV THERAPEUTICS, INC.  
SECURITIES LITIGATION

) No. C-03-3709-SI

) CLASS ACTION

) This Document Relates To:

) ALL ACTIONS.

) [PROPOSED] ORDER APPROVING PLAN  
) OF ALLOCATION OF SETTLEMENT  
) PROCEEDS

) DATE: March 9, 2007

) TIME: 9:00 a.m.

) COURTROOM: The Honorable Susan Illston

1           THIS MATTER having come before the Court on Lead Plaintiff's application for approval of  
2 the Plan of Allocation of the net settlement proceeds in the above-captioned action; the Court having  
3 considered all papers filed and proceedings had herein and otherwise being fully informed in the  
4 premises;

5           IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

6           1.       For purposes of this Order, the terms used herein shall have the same meanings as set  
7 forth in the Stipulation of Settlement dated as of October 16, 2006 (the "Stipulation").

8           2.       Pursuant to and in full compliance with Rule 23 of the Federal Rules of Civil  
9 Procedure, this Court hereby finds and concludes that due and adequate notice was directed to all  
10 Persons and entities who are Class Members advising them of the Plan of Allocation and of their  
11 right to object thereto, and a full and fair opportunity was accorded to all Persons and entities who  
12 are Class Members to be heard with respect to the Plan of Allocation.

13          3.       The Court hereby finds and concludes that the formula for the calculation of the  
14 claims of Authorized Claimants which is set forth in the Notice of Pendency and Proposed  
15 Settlement of Class Action (the "Notice") sent to Class Members, provides a fair and reasonable  
16 basis upon which to allocate the proceeds of the Net Settlement Fund established by the Stipulation  
17 among Class Members, with due consideration having been given to administrative convenience and  
18 necessity.

4. The Court hereby finds and concludes that the Plan of Allocation set forth in the Notice is in all respects fair and reasonable and the Court hereby approves the Plan of Allocation.

IT IS SO ORDERED.

DATED: 3/9/07



THE HONORABLE SUSAN ILLSTON  
UNITED STATES DISTRICT JUDGE

Submitted by,

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CERTIFICATE OF SERVICE

I hereby certify that on March 9, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I have mailed the foregoing document or paper on March 2, 2007 via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I further certify that I caused this document to be forwarded to the following designated Internet site at: <http://securities.lerachlaw.com/>.

s/ Joy Ann Bull  
JOY ANN BULL

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## Manual Notice List

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- (No manual recipients)